

1042

PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/018,929
Filing Date	12/21/2001
First Named Inventor	HABU
Group Art Unit	1642
Examiner Name	TBA
Attorney Docket Number	S-31005A

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 7 documents		
<table border="1"><tr><td>Remarks</td><td></td></tr></table>			Remarks	
Remarks				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Marcia R. Morton, Attorney for Applicants, Registration No. 46,942
Signature	<i>Marcia R. Morton</i>
Date	8/13/02

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: August 13, 2002

Typed or printed name	Susan Holder		
Signature	<i>Susan Holder</i>	Date	August 13, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
AUG 20 2002
FOR DEPT. 1600 2900

In re application of:

HABU et al.

Serial. No. 10/018,929

Filed: December 21, 2001

For: GENE INVOLVED IN EPIGENETIC
GENE SILENCING

Art Unit: TBA

Examiner: TBA

Atty Docket: 31005A

Confirmation No.: 8276

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)(3)

Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b)(3), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the first Office Action on the merits.

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached forms.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies these documents as prior art against any claim in the application and Applicants determine that the cited documents do not

constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of these documents be applied against the claims of the present application.

In accordance with 37 CFR §1.97(b)(3), no fee is believed to be required for consideration of this statement because it is being submitted before the mailing date of a first Office Action on the merits. If a fee is deemed to be required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 50-1744.

Respectfully submitted,



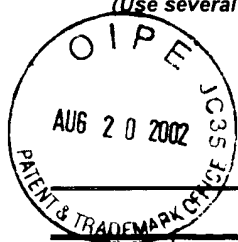
Marcia R. Morton
Attorney for Applicants
Registration No. 46,942

Syngenta Biotechnology, Inc.
P. O. Box 12257
Research Triangle Park, NC 27709-2257
Telephone: 919-541-8566
Date: August 13, 2002

FORM PTO-1449
(REV. 7-85)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

ATTY. DOCKET NO.
S-31005A
APPLICATION NO.
10/018,929
APPLICANT
HABU et al
FILING DATE:
December 21, 2000Confirmation No.
8276
Group
TBA

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	OFFICE	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AA	WO 98/04725	2/5/98	WIPO			<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

AB	Amedeo et al., <i>Disruption of the plant gene MOM releases transcriptional silencing of methylated genes</i> <i>Nature</i> , Vol. 405 (May 11, 2000) pp. 203-206
AC	Feng et al., "BAC End Sequences at ATGC", DATABASE EMGSS_PLN2, Online!, EMBL Heidelberg, Germany; AC/ID B20116, (September 20, 1997) Abstract
AD	Mittelstein Scheid et al., <i>Release of epigenetic gene silencing by trans-acting mutations in Arabidopsis</i> <i>Proceedings of the National Academy of Sciences USA</i> , Vol. 95 (January 1998) pp. 632-637
AE	Paszkowski et al., <i>Plant Genes: The Genetics of Epigenetics</i> <i>Current Biology</i> , Vol. 8, No. 6 (March 12, 1998) pp. 206-208
AF	Richmond E. and Peterson C., <i>Functional analysis of the DNA-stimulated ATPase domain of yeast SWI2/SNF2</i> <i>Nucleic Acids Research</i> , Vol. 24, No. 19 (1996) pp. 3685-3692
AG	Rounsley et al., "A BAC End Sequence Database for Identifying Minimal Overlaps in Arabidopsis Genomic Sequencing. Update 3", DATABASE EMGSS_PLN2 Online!, EMBL Heidelberg, Germany; AC/ID B67281, (December 9, 1997) Abstract
AH	
AI	
AJ	
AK	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial of reference considered, whether or not citation is in conformance with MPEP 609: Draw a line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.